

HOUSE BILL REPORT

HB 3207

As Reported by House Committee On:
Economic Development, Agriculture & Trade
Capital Budget

Title: An act relating to community preservation.

Brief Description: Creating the community preservation authority program.

Sponsors: Representative Santos.

Brief History:

Committee Activity:

Economic Development, Agriculture & Trade: 1/30/06, 2/1/06 [DP];
Capital Budget: 2/6/06 [DPS].

Brief Summary of Substitute Bill

- Creates community preservation authorities to restore or enhance the health, safety, and well-being of communities negatively impacted by the construction of major public facilities, public works, and capital projects with significant public participation.

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

Majority Report: Do pass. Signed by 15 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Appleton, Blake, Chase, Clibborn, Dunn, Grant, Haler, Kilmer, McCoy, Morrell, Quall, P. Sullivan and Wallace.

Minority Report: Do not pass. Signed by 7 members: Representatives Kristiansen, Ranking Minority Member; Bailey, Buri, Holmquist, Kretz, Newhouse and Strow.

Staff: Tracey Taylor (786-7196).

Background:

Every year, federal, state and local governments undertake significant public facilities and infrastructure projects in communities around the state. While some of these projects only temporarily affect the surrounding community, others have a more lasting impact on the community.

Summary of Bill:

The Legislature finds that the preservation and/or restoration of the character of a community impacted by significant public projects, and the community's historical and cultural character are important public policy goals. A community is defined as a group of people that has a distinct cultural identity located in a geographic area or well-defined neighborhood that currently contains, or historically contained, a high percentage of minority or low-income individuals.

A Community Preservation Authority (CPA) program is created. A CPA must: develop a capital projects plan to restore or enhance the health, safety and well-being of the impacted community and mitigate the effects of several significant public facilities projects, public works projects, capital project with significant public participation or a community transition facility; restore the local area's sense of community; reduce the displacement of community members and businesses; enhance the provision of public services; or stimulate the community's economic vitality.

The CPA must include each State Representative and State Senator who represents the legislative district in which the community is located. The CPA must also include the county council members or county commissioners and city council members whose precincts include the community. The state legislators, county commissioners or councilors, and city councilors must select the other members of the CPA. These members must include two members who own or operate a business within the community, two members involved in providing nonprofit or social services in the community, two members involved in the arts and entertainment, and two members with significant knowledge of the community's culture and history.

Once formed, a CPA must register with the Department of Community, Trade, and Economic Development. A registered CPA will be eligible to submit its plan for funding through any grant or low-interest loan program funded by the local, state or federal government.

A Community Preservation Authority Account is created in the treasury. Expenditures may only be used for projects under the CPA program after appropriation.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill is intended to facilitate community development which is distinct from economic development. Community development is a broader and more comprehensive process of empowering oneself. This bill intends to improve the social, cultural and economic conditions of communities through a partnership of government, business, educational institutions, community organizations, residents, employees and other stakeholder groups.

For many communities, this is an ideal, but not a reality. An example is Seattle's historic Chinatown International District (District). Due to the changes in housing laws and the economy, many of the subsequent generations have left the area, leaving an aged, poor, non-English speaking population. Over 60 percent of the District's current residents are foreign born. What has also ensued is decades of disinvestment and disinterest by government in the area. Large publicly funded infrastructure projects and facilities have been placed in the District to the detriment of the community. What this bill does is give communities like the International District a fighting chance to determine their own destiny. It allows stakeholders and policymakers to come together and plan for the community as well as determine what constitutes meaningful mitigation.

Testimony Against: None.

Persons Testifying: Representative Santos, prime sponsor; and Bob Santos.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON CAPITAL BUDGET

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Blake, Chase, Eickmeyer, Ericks, Flannigan, Green, Hasegawa, Lantz, Moeller, Morrell, O'Brien, Springer and Upthegrove.

Minority Report: Without recommendation. Signed by 10 members: Representatives Jarrett, Ranking Minority Member; Hankins, Assistant Ranking Minority Member; Clements, Cox, Kretz, Kristiansen, McCune, Newhouse, Roach and Serben.

Staff: Susan Howson (786-7142).

Summary of Recommendation of Committee On Capital Budget Compared to Recommendation of Committee On Economic Development, Agriculture & Trade:

The definition of "community" is modified and additional definitions are specified in the substitute bill. Once constituted, community preservation authorities are directed to develop a capital projects plan including operating and capital components. They are also directed to assist community organizations to identify and compete for project funding. The requirement for a community preservation authority to register with the Department of Community, Trade, and Economic Development (DCTED) is removed. By August 1, 2006, legislators and staff from the appropriate committee of the Legislature, together with representatives of the Governor's office and the DCTED must make recommendations on statutory and budget actions to support implementation of the program beginning with the 2007-09 biennium.

Appropriation: None.

Fiscal Note: Requested February 7, 2006.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: (In support) This bill is an attempt to provide tools and resources to communities that have suffered adverse impacts due to construction and ongoing operation of multiple public works, public facilities, and capital projects by governments and the private sector. The bill is a work in progress. A subsequent substitute bill will try to broaden the definition of "community" and will defer answers to some outstanding technical questions to interim work by the legislative and executive branches.

(With concerns) This is much improved over the original bill and we want to continue working with the sponsor. It will be a bit of a challenge to meet the August 1 deadline for budget and statutory recommendations.

Testimony Against: None.

Persons Testifying: (In support) Representative Santos, prime sponsor.

(With concerns) Marie Sullivan, Department of Community, Trade, and Economic Development.

Persons Signed In To Testify But Not Testifying: None.